

E-FILED - 4/28/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ULYSSES DAVIS, JR.,

Plaintiff,

v.

DIRECTOR OF HEALTH SERVICES
FRIMA STEWART, et al.,

Defendants.

No. C 03-04334 RMW (PR)

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL;
GRANTING EXTENSION OF TIME TO
FILE OPPOSITION TO DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT

(Docket Nos. 48 & 78)

Plaintiff's motion for appointment of counsel (Docket No. 48) is DENIED without prejudice for lack of exceptional circumstances. See Rand v. Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997).

On April 2, 2008, plaintiff filed a letter stating that he is unable to respond to Defendant's motion for summary judgment because he is in the hospital without access to his legal material. Plaintiff requests that the court "put this case off until [he] get[s] out in 22 months." The Court construes plaintiff's request as a motion for extension of time, and grants plaintiff an initial **sixty (60) days** extension of time to file an opposition to defendants' motion for summary judgment. The opposition must be filed **no later than June 9, 2008**. All other provisions of the Court's order of service, filed April 20, 2007, shall remain in effect.

IT IS SO ORDERED.

Dated: _____

4/21/08

Ronald M. Whyte

RONALD M. WHYTE
United States District Judge